

#19

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Edward A. Johnson  
Serial No.: 09/762,077 Art Unit: Not yet known  
Filed: 01/30/01 Examiner: Not yet known  
Title: INFRARED RADIATION SOURCES, SENSORS AND SOURCE  
COMBINATIONS, AND METHODS OF MANUFACTURE  
Docket: 56326-032 (IOPL-007)

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**CERTIFICATE OF EXPRESS MAILING (37 C.F.R. 1.10)**

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"Express Mail" Label Number: EL949755222US

Date of Deposit: June 3, 2002

I certify that this correspondence is being deposited on the date indicated above with the United States Postal Service as "Express Mail, Post Office to Addressee" Service under 37 C.F.R. 1.10, addressed to Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: June 3, 2002By: Erin Shea  
ERIN SHEA

Attn: PCT Legal Office

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

Dear Sir:

Enclosed herewith for filing in connection with the above-identified application please find:

1. Second Renewed Petition under 37CFR § 1.47(a);
2. Executed Declaration of Available Joint Inventors; and ;
3. Acknowledgement postcard.

No fees are deemed to be due in relation to this submission. However, if the Commissioner finds there is a deficiency of fees in this submission, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1133.

Respectfully submitted,



Date: June 3, 2002

Mark G. Lappin, P.C., Reg. No. 26,618  
Jeffrey J. Miller, Reg. No. 39,773  
McDERMOTT, WILL & EMERY  
28 State Street  
Boston, Massachusetts 02109  
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Date: June 3, 2002

By:   
ERM STEVEN

Attn: PCT Legal Office

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**SECOND RENEWED PETITION UNDER 37 CFR § 1.47(a)**

Dear Sir:

In response to the DECISION ON PETITION UNDER 37 CFR § 1.47(a) dated 2 April 2002, having a response set to expire in two (2) months, on 2 June 2002 (actually 3 June 2002 since 2 June 2002 falls on a Sunday), Applicants hereby renew their petition of 08 August 2001, and their petition of 7 January 2002 as follows:

A. All Available Joint Inventors

In accordance with MPEP § 409.03(a)(A), a declaration of the available joint inventors,

Edward A. Johnson, John S. Wollam, and James T. Daly, made on their own behalf and on behalf of non-signing joint inventor W. Andrew Bodkin, as required by 37 C.F.R. § 1.64, and in accordance with 37 CFR § 1.497, is submitted herewith.

The declaration filed herewith correctly lists the U.S. serial number for the present application as 09/762,077.

The fourth named inventor is identified as "James T. DALEY" in the published international application while the individual is listed as, and executed by, "James T. DALY" on the filed application. The fourth named inventor was incorrectly identified in the published international application by the applicant due to a clerical error. The fourth named inventor is correctly listed as, and executed by, "James T. DALY" on the filed application.

B. Proof of Unavailability

Applicants previously provided proof that the missing joint inventor refuses to execute the application.

C. Last Known Address

Applicants previously provided a statement of the last known address of the missing joint inventor.

D. Petition Fee

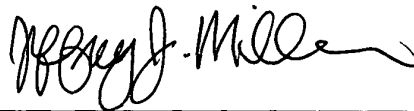
Applicants previously provided the requisite \$130 petition fee required by 37 CFR 1.17(I).

E. Conclusion

As the requirements under 37 C.F.R § 1.47(a) have been met, Applicants request that this

Renewed Petition be granted. No additional petition fee is required, however, please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 50-1133.

Respectfully submitted,



Date: June 3, 2002

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Mark G. Lappin, P.C., Reg. No. 26,618  
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McDERMOTT, WILL & EMERY  
28 State Street  
Boston, Massachusetts 02109  
Tel. (617) 535-4000  
Fax: (617) 535-3800

Enclosed: Executed declaration of available joint inventors, Edward A. Johnson, John S. Wollam, and James T. Daly.